

2189
161



PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DiSanza
Serial No: 09/549,651
Filing Date: 4/14/2000
Title: COMPUTER PERIPHERAL DEVICE INCORPORATING INFRARED TRANSMISSIONS

Examiner: Vo, Tim T
Art Group: 2189
Docket No: SIG99004

Date: 8/6/04

RECEIVED

AUG 11 2004

Technology Center 2100

Honorable Commissioner of
Patents and Trademarks,
Alexandria, Virginia 22313

REQUEST FOR WITHDRAW OF NOTICE OF ABANDONMENT

In response to a Notice of Abandonment mailed on 7/28/04 regarding the above referenced patent application, the applicant respectfully requests that the notice of abandonment be withdrawn and states the following in support of this request.

1. An office action was mailed on 1/8/04 regarding the present patent application, having a six month date of 7/8/04.
2. The applicant prepared and filed via first class mail a response to the outstanding office action on 7/7/04. A copy of which is attached hereto.
3. A petition under 35 USC §1.136(a) and check #513 for \$475 for the petition fee were also mailed on 7/7/04 in the same envelope as the response. A copy of the petition is attached hereto. The check cleared on 7/19/04.

BEST AVAILABLE COPY

4. In an interview summary of 7/23/04, the Examiner indicated that he attempted several times to contact the undersigned and no response was provided. The undersigned contends that the Examiner only attempted to contact the undersigned one time, to which the undersigned responded to a week subsequent to a voice message when the undersigned returned to the office.

5. Accordingly, the applicant requests that the abandonment be withdrawn and the response to the outstanding office action be entered into the record.

RESPECTFULLY SUBMITTED,

By: 

Timothy W. Markison
Registration No. 33,534
Phone: (512) 342-0612
Fax No. (512) 342-1674

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Alexandria, Virginia 22313, on the date below:

Date

8/6/04


Signature

BEST AVAILABLE COPY